

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GBEKE MICHAEL AWALA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-368-KAJ
)	
U.S. DEPARTMENT OF STATE)	
INTERNATIONAL CHILD ABDUCTION)	
and U.S. EMBASSY NIGERIA,)	
)	
Defendants.)	

ORDER

WHEREAS, the plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on May 30, 2006, the Court entered an order denying leave to proceed *in forma pauperis* because the plaintiff has three prior suits dismissed as frivolous or for failure to state a claim upon which relief may be granted, and the instant complaint does not allege an imminent threat of physical injury (D.I. 11);


WHEREAS, the Court ordered the plaintiff to pay the \$250 filing fee within thirty (30) days from the date the order was sent or the case would be dismissed;

WHEREAS, the plaintiff responded by filing a document on June 12, 2006, entitled "citizens suit"

WHEREAS, to date, payment has not been received from the plaintiff;

THEREFORE, at Wilmington this 16th day of August, 2006, IT IS HEREBY ORDERED that the plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for

failure to comply with the Court's order and to pay the filing fee.


UNITED STATES DISTRICT JUDGE